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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,711	10/31/2003	Wen Chuan Chen	CC-CFP-1307	1557
25864	7590	05/03/2005	EXAMINER	
CHARLES C.H. WU 98 DISCOVERY IRVINE, CA 92618-3105			ORTIZ, EDGARDO	
			ART UNIT	PAPER NUMBER
			2815	

DATE MAILED: 05/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

**Office Action Summary**

Application No.

10/698,711

Applicant(s)

CHEN ET AL.

Examiner

Edgardo Ortiz

Art Unit

2815

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --****Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 2 and 4-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, and 4-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 2 and 4-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Independent claims 1 and 4 include the limitation “*whereby a conventional, thicker IC chip can be accommodated in the window region with the top seal plate attached thereon sealing the window.*” However, it is unclear as to what Applicant refers to as “*conventional*” and “*thicker*” when describing the claimed IC chip and what other chip is used or cited to compare the claimed IC chip and sustain the cited terms.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 4-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Crane, Jr. et al. (U.S. Patent No. 6,307,258). As best the examiner is able to ascertain the claimed invention and with regard to Claim 1, Crane discloses:

a base plate (200) on which IC chips (100) are connected;

Art Unit: 2815

a case (400) mounted to the base plate and at least one window (410) defined through the case so that at least one of the IC chips is accommodated in the at least one window (column 4, lines 27-30), a space enclosed by the at least one window being larger than the at least one of the IC chips (column 4, lines 28-32) and a top surface of the at least one of the IC chips accommodated in the at least one window being in flush with a top surface of the case (column 4, lines 34-40), and

a top seal plate (600) attached on the case (400) and sealing the at least one window (column 9, lines 6-10)

wherein the chip (100) can be accommodated in the window region (410) with the top seal plate (600) attached thereon sealing the window (column 9, lines 6-18).

With regard to Claim 2, Crane discloses IC chips having a connection legs electrically connected to the base plate (200), (column 4, lines 11-15).

With regard to Claim 4, Crane discloses:

a base plate (200) on which IC chips (100) are connected;

a case (400) mounted to the base plate and at least one window (410) defined through the case so that at least one of the IC chips is accommodated in the at least one window (column 4, lines 27-30), a space enclosed by the at least one window being slightly larger than the at least one of the IC chips (column 4, lines 28-32) and a top surface of the at least one of the IC chips accommodated in the at least one window (410) being in flush with a top surface of the case

Art Unit: 2815

(column 4, lines 34-40), a periphery of at least one of the IC chips being fitted and in contact with an inner periphery of the at least one window (column 4, lines 34-39), and

a top seal plate (600) attached on the case (400) and sealing the at least one window (column 9, lines 6-10), wherein the chip (100) can be accommodated in the window region with the top seal plate (600) attached thereon sealing the window (column 9, lines 6-18).

With regard to Claims 5-10, it is noted that the terms “*flash chip*”, “*passive chip*” and “*controller chip*”, are merely labels that do not structurally the claimed chip from the chip as disclosed by Crane.

With regard to Claims 11-12, it is noted that the term “*memory card*”, is merely a label that does not structurally distinguish the claimed structure from the structure as disclosed by Crane.

### ***Response to Arguments***

3. Applicant's arguments have been fully considered, however they are not deemed persuasive for the reasons stated in the body of the office action. Applicant first argues that “*Crane does not teach a top seal plate attached on the case and sealing the at least one window; whereby a conventional, thicker IC chip can be accommodated in the window region with the top seal plate attached thereon sealing the window, as so claimed in claim 1.*” The examiner notes that Crane, as discussed in the rejection, clearly discloses a seal plate (600) attached on the case and sealing the at least one window (column 9, lines 6-10), wherein the chip (100) can be

Art Unit: 2815

accommodated in the window region with the top seal plate (600) attached thereon sealing the window (column 9, lines 6-18). Therefore, the claimed limitation is taught by Crane.

Applicant also argues that, "*Crane relates to an open-cavity semiconductor die package adapted to enable a person to place a finger tip on the semiconductor die. Whereas, the present invention claims a top seal plate attached on the case and sealing the at least one window, as recited in claim 1.*" The examiner notes that although the reference does provide for an open-cavity semiconductor die package adapted to enable a person to place a finger tip on the semiconductor die (column 1, lines 33-38), the reference also provides a seal plate (600) which seals said case (400) and the window (410) included on said case, thus sealing the window (column 9, lines 6-18).

Therefore, the claimed invention does not patentably or structurally distinguish from that disclosed by the prior art, as shown by Crane et al.

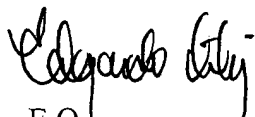
### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edgardo Ortiz whose telephone number is 571-272-1735. The examiner can normally be reached on Monday-Friday (1st Friday Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Thomas can be reached on 571-272-1664. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2815

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



E.O.  
A.U. 2815  
4/26/05



TOM THOMAS  
SUPERVISORY PATENT EXAMINER